

REMARKS

As a result of the foregoing amendment, an abstract has been inserted into the application.

Additionally, claims 9 and 16 have been amended to make it clear as to when the plastic material is not subject to heating or warming. Thus, with respect to claim 9, plastic material is not subjected to heating after the melting step and prior to the crystallization step and with respect to claim 16, the plastic material is not warmed again after the melting step and prior to the crystallization step. Accordingly, it is submitted that the rejection of the claims under the 2nd paragraph of 35 USC 112 has been obviated and should be withdrawn.

Referring to the rejection of claim 21 under the first paragraph of 35 USC 112 on the basis that the specification does not disclose a second crystallization step in the process, it is noted that the original claims do describe a presence of a second crystallizer and thus there is certainly basis for the second crystallization step. In particular, see original claim 9. Accordingly, it is submitted that this rejection is improper and should be withdrawn.

Reconsideration and withdrawal of the rejection of claims 9-12 as being unpatentable under 35 USC 103 over the '721 patent in view of the '969 patent, DE '357 or USP '322 are respectfully requested. The examiner asserts that the '721 patent discloses the steps a, b and c of the presently claimed invention and that the secondary references disclose step d. However, it is believed clear that the '721 patent fails to disclose the post condensation step d as acknowledged by the examiner. However, it also fails to disclose the avoidance of heating or warming of the plastic material again after the melting step but prior to the crystallizing step. Rather, the reference teaches that the polymer pellets are crystallized by heating in air or an inner atmosphere in a range of 110° and 160°.

None of the secondary references discloses or even remotely suggests the avoidance of the heating or warming of the plastic material between the melting and crystallization steps. This is a significant feature of the present invention because it contributes to a significant energy savings.

In addition, the inventors have found that with the preferred crystallization temperatures of 140° to 180° C, there is a rapid crystallite growth with formation of new crystallites being relatively slow. As a result, there are fewer crystallites but a larger average crystallite size resulting in increased reactivity of the subsequent solid-state polymerization process.

The art of record contains no suggestion of such a result. Accordingly, this rejection is untenable and should be withdrawn.

In view of the foregoing it is submitted that this application is in condition for allowance and favorable reconsideration and prompt Notice of Allowance are earnestly solicited.

September 12, 2003

JEG:dej

Respectfully submitted,

REED SMITH, LLP

By: 

Jules E. Goldberg - Reg. No. 24,408
599 Lexington Avenue
New York, NY 10022
Tel. (212) 521-5403